

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No.: 3:06-CR-064
)
KEITHAN HUNTER)

MEMORANDUM AND ORDER

This criminal case is before the Court on the defendant's renewed *pro se* motion for sentence reduction. [Doc. 127]. Relying on *Hughes v. United States*, 138 S. Ct. 1765 (2018), the defendant again asks the Court to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) and in accordance with Amendments 706, 750, and 782 to the United States Sentencing Commission Guidelines Manual.

District courts have discretion under 18 U.S.C. § 3582(c)(2) to reduce the sentence of a defendant "who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission." In its 2016 ruling denying the defendant's most recent § 3582(c)(2) motion, this Court explained that the defendant is not entitled to § 3582(c)(2) relief because he was sentenced under the career offender guideline.

Hughes provides no help to the present defendant. In that case, the Supreme Court ruled that Hughes was not categorically ineligible for § 3582(c)(2) relief merely because he had entered into a Rule 11(c)(1)(C) plea agreement. The present defendant, unlike Hughes, did *not* sign a Rule 11(c)(1)(C) plea agreement. [Doc. 49, p.3]. *Hughes*, therefore, is inapplicable in this case.

For that reason, and as explained in the Court's denial of the defendant's last § 3582(c)(2) motion [doc. 104], the present motion [doc. 127] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge